



Statement for the Record of

Human Rights First

On

House Committee on the Judiciary

Subcommittee on Immigration Integrity, Security, and Enforcement

“The Border Crisis: Is the Law Being Faithfully Executed”

June 7, 2023

I. About Human Rights First

Human Rights First is an independent, non-profit organization that for more than four decades has pressed the United States to take a leading role in promoting and defending human rights. Established in 1978, Human Rights First's mission is to ensure that the United States is a global leader on human rights. The organization works in the United States and abroad to promote respect for human rights and the rule of law. The organization's work includes advocacy and action to uphold the right to seek asylum and to counter the antidemocratic extremist movement that represents an existential threat to our democracy. The organization also partners with many of the nation's leading law firms to provide pro bono legal representation to refugees seeking asylum, and over the years has helped thousands of refugees receive asylum in this country.

II. Overview

Human Rights First is alarmed at the scale and dangers presented by orchestrated rhetoric painting migrants and people seeking asylum at the U.S. border as a threat or "invasion." Human Rights First's experts on extremism and antisemitism have repeatedly warned that this rhetoric leads directly to increased violence. As outlined below, lawmakers must refuse to provide a platform for this rhetoric. Rather, they must call out this racist fearmongering and counter disinformation with reliable and accurate data regarding the right to asylum, the U.S. immigration system, and current conditions at the border.

We cannot allow bigoted narratives, disinformation, and images of armed troops to dominate critical conversations about immigration and border policies, nor about our nation's asylum laws. Instead of prolonging, codifying, using, or resurrecting unjust, inhumane, and dysfunctional policies aimed at decimating asylum that were initiated under the Trump administration, the Biden administration and Members of Congress should uphold U.S. refugee law, the human right to seek asylum, and U.S. commitments under international refugee law. This includes abandoning efforts to ban or deny asylum to refugees who are otherwise eligible for asylum under U.S. law.

Let us be clear: The United States is not, by any stretch of the imagination, an "open borders" nation. Any such assertion is patently false. Human Rights First has issued countless reports and backgrounders documenting past and present [asylum bans](#) and the horrifying [impact of Title 42](#). Unfortunately, our government has repeatedly focused on aggressive, deterrence-based and enforcement-forward border and immigration policies, only exacerbating bottlenecks and dangerous conditions along the Southern border and in detention.

We are facing a *global humanitarian crisis*, not a border crisis; worldwide, people are fleeing their home countries due to a rise in political instability, authoritarianism, human rights abuses, climate change, and more. The United States is not meeting the moment, nor is it leading by example; other nations, including those with far less capacity than ours, are welcoming and hosting the overwhelming majority of the world's refugees. We can and must do better to uphold refugee law at home.

III. Anti-Immigrant Narratives Are a Political Tool that Endangers Communities and Drives Harmful Policies

Bigoted and dangerous rhetoric targeting immigrants has become commonplace among a growing number of elected officials who see fear-mongering as a political strategy. Portraying asylum seekers as [violent](#)

“invaders” or are pawns in a malevolent and orchestrated takeover, these narratives represent merely the most recent adaptations of white supremacist conspiracy theories. As our recent [fact sheet](#) outlines, this racist rhetoric [can encourage violence](#), and it is a threat to our communities. Congressional hearings should not be a mechanism to further mainstream this ideology.

The mainstreaming of this racist rhetoric is most obvious in terms of the Great Replacement conspiracy theory. The conspiracy theory centers around the idea that there is a cabal of malevolent elites – often depicted as Jewish people – whose secret goal is to disempower or eliminate white people by “replacing” them through non-white immigration and/or intermarriage with people who will be amenable to the malicious demands of the powerful cabal. The most common mainstream version of this conspiracy theory is currently the [“voter replacement” conspiracy](#), suggesting that immigrants are pawns in a political scheme to replace native-born American voters. Similarly, xenophobic extremists have a long history of describing peaceful migrants and asylum seekers as [“invaders.”](#) nefariously ascribing to them a collective and violent intent.

These narratives often rely on a vitriolic combination of disinformation and bigoted stereotypes. For example, immigrants are often portrayed as criminal or violent, even when extensive research shows [native-born Americans are much more likely to commit crimes than are immigrants](#). In recent years, immigrants have been increasingly blamed for the devastating growth of fentanyl usage across the country, despite the reality that [fentanyl is most likely to enter the United States through legal points of entry by U.S. citizens](#). This propaganda is especially likely to depict people of color, playing on [harmful racist stereotypes](#).

Despite the lack of accuracy in anti-immigrant narratives, [their growing popularity poses](#) a dangerous threat to Black, Brown, Indigenous, immigrant, Jewish, and/or other targeted communities. By portraying immigrants as an existential threat to native-born Americans, [this type of rhetoric makes violence more likely](#), as we have seen in recent years. [Eleven people in Pittsburgh](#) and [23 people in El Paso](#) were murdered by white supremacists animated by fears of supposed immigrant “invaders.” As these horrifying attacks demonstrate, we cannot divorce this “invasion” rhetoric from its violent and racist origins.

In recent months, [members have](#) continued to promote this [harmful rhetoric](#), especially in advance of the lifting of Title 42. These extremist narratives have infused policy debates with insidious fearmongering.

To prevent this hearing from serving as another vehicle to further popularize extremist rhetoric, lawmakers must effectively challenge the disinformation, bigoted stereotypes, and conspiracy theories on which these narratives rely. For example, 115 Members of Congress co-sponsored [H. Res. 413](#), which condemns the white supremacist “great replacement” conspiracy theory and the terrorist attack targeting the Black community it inspired in Buffalo, New York. Representative Raskin, Ranking Member of the Committee on Oversight and Accountability, publicly [called on his fellow Committee members](#) to denounce white supremacy. Lawmakers, especially those in positions of leadership, can and must proactively and repeatedly counter such statements on the public record, ensure the voices of targeted communities have representation, and support efforts to protect the rights of migrants and asylum seekers.

IV. The Right to Asylum is Legal, Politically Popular, and Morally Right

The right to seek asylum is a fundamental human right enshrined in the [Universal Declaration of Human Rights](#). The [Refugee Convention and Protocol](#) and customary international law prohibit the return of people to persecution. [United States law](#) specifically provides ways for people in search of refuge to seek asylum at U.S. ports of entry and after entering the United States. Despite the government’s legal obligations to refugees, people seeking refuge in the United States have – for years now due to inhumane, illegal and counterproductive policies – been prevented from seeking asylum due to Trump and Biden administration

asylum bans and the use of the Title 42 policy and similar predecessor policies that block and expel to danger refugees seeking safety.

The majority of American voters, across party lines, believe that the United States should provide asylum to people fleeing persecution or violence in their home countries.¹ Furthermore, lawmakers of both parties also believe the right to asylum should be protected. Indeed, recent anti-immigrant legislation was undercut by [bipartisan opposition](#) because Republicans and Democrats have expressed a desire to uphold the right to asylum.² Despite the tone and rhetoric prior to and surrounding this hearing, the right to asylum is politically popular.

Proponents of unjust anti-asylum policies often refuse to acknowledge the factors pushing people to leave their countries in search of refuge, or the fact that the vast majority of the world's refugees are hosted by countries other than the United States. In reality, the human rights situations in many countries in the Americas have deteriorated in recent years, pushing people to flee in search of protection, safety and stability. For example:

- In Cuba, where freedom of expression, association and other basic human rights are sharply restricted, repression has [increased](#) over the last few years, as security forces responded [violently](#) with an extended wave of brutal repression to the country's historic protests against economic difficulties and lack of fundamental freedoms.
- In Haiti, violence and political instability [escalated](#) after the 2021 assassination of the president, and in late 2022 the [UN High Commissioner for Human Rights](#), [UN High Commissioner for Refugees](#) and the [UN Humanitarian Coordinator](#) for Haiti all warned that people should not be returned to the country due to the dire and dangerous conditions there.
- In Nicaragua, political persecution continued to [escalate](#) against civil society, journalists, activists, church leaders, nuns, and ordinary people—who live in fear and cannot safely engage in public assembly or religious worship—and further [intensified](#) during the year with a [crackdown](#) against civil society in connection with November 2022 elections. In January 2023 [guidance](#), UNHCR stated this crackdown “may be characterized as a massive violation of human rights.”
- In Venezuela, the human rights situation has grown [significantly worse](#) in recent years due to harsh crackdowns on political opposition, the ruling party's reliance on widely condemned elections to control all branches of the government, horrific use of [torture](#), and a severe humanitarian crisis.

¹ In a November 2022 [poll](#) conducted by the U.S. Immigration Policy Center, 87% of Democrats, 74% of Independents and 57% Republicans expressed support for asylum. Another February 2022 [poll](#) by the National Immigration Law Center Immigrant Justice Fund found that a majority of voters across the political spectrum supported asylum and wanted the Biden administration to end the Title 42 policy.

² In response to concerns raised about his bill, the “Border Safety and Security Act of 2023” (H.R. 29), Representative Chip Roy [insisted](#), “No one's trying to ban asylum.” GOP Members of Congress have [expressed serious concerns](#) about hard-line legislation like H.R. 29, indicating the broader popularity of the right to asylum. *See e.g.*, Rep. Tony Gonzales (“Trying to ban legitimate asylum claims—one, it's not Christian, and two, to me, it's very anti-American. So a lot is at stake.”); Rep. Maria Elvira Salazar (“Are we stupid? Come on. This country was based on good minds. Look at Albert Einstein, we gave him a piece of paper to come in. . . . We are letting the Albert Einstein of this modern time slip away.”).

- Human rights violations have continued or escalated in other countries as well, including in Guatemala where the rule of law has [deteriorated](#), concerns of [authoritarianism](#) are rising, and [persecution](#) has [escalated](#) against [journalists, Indigenous and human rights](#) activists, and judicial officials combating impunity for human rights violations, as well as in Honduras, El Salvador, and other countries, as Human Rights Watch documented in its recent annual [report](#).

Many people fleeing these and other places have fled to other countries in the Americas. In fact, of the 7.1 million people who have fled Venezuela in search of safety and stability, about [6 million](#) are hosted in Colombia, Ecuador, Peru and other countries in Latin America and the Caribbean. Costa Rica is hosting about [200,000](#) or more Nicaraguans, and experienced a [five-fold increase](#) in total asylum claims in the first six months of 2022, as compared to the year before. Mexico [hosts](#) about 500,000 refugees and asylum seekers, though many face grave [threats](#) to their safety there.

In short, the United States is more than capable of humanely receiving, and fairly processing the asylum claims of, the portion of people seeking refuge here from repression, persecution, and violence.

V. Sending Armed Troops and Law Enforcement to the Southern Border Reinforces Hate Toward Migrants, Undermines the Right to Asylum, and Negatively Impacts the Military

The use of troops at the border for immigration control is fraught with legal, ethical, and constitutional challenges, and should only be considered a mechanism of last resort and even then, only to support humanitarian needs. However, we are alarmingly close to a militarized border that endangers border communities, arriving migrants and asylum seekers, and the troops themselves. The military is one of the most respected institutions in the country and politicians have increasingly used it to advance political agendas, especially over the past few decades. This is an existential threat to the apolitical nature of the military and carries serious consequences for the republic.

In May 2023, the Biden administration deployed the first of nearly two battalions worth of active duty troops to the U.S.-Mexico border. The White House tried to assuage fears by emphasizing that the military would be carrying out “back room” jobs, like transport and logistics, yet active duty troops seem increasingly intertwined with law enforcement at the border. It’s not enough that the troops are intended to be structured in a way that intends to keep them from engaging directly with migrants. Their presence there creates an operational reality that will put them on the front lines and creates the perception of a hard and militarized border.

This is a dangerous strategy, first employed by the Trump administration in an attempt to stoke anti-migrant fear ahead of the 2018 midterm elections. President Biden’s recent deployment seems equally politically calculated to make it appear he is tough on the border in response to disingenuous attacks from anti-immigration politicians. Sending the active duty forces to engage on the border is a serious provocation and degrades long standing precedent and law, including the Posse Comitatus Act, which bars federal troops from participating in civilian law enforcement except when expressly authorized by law.

A. State Active Duty Deployments and Operation Lone Star

Even more alarmingly, state governors are activating their own National Guard agencies, outside of the operational command of the federal government. This abuse of the National Guard presents serious national security risks and creates an unnerving precedent. To allow state governors the ability to activate their own

State Guard components to support a law enforcement operation in a different state, without federal oversight and accountability, raises serious legal and constitutional questions. But this is exactly what is happening.

Thousands of troops from states across the country are being tasked to support [Operation Lone Star](#), a state level task force that is a joint operation between the Texas Department of Public Safety and the Texas Military Department along the southern border between Texas and Mexico, which was originally launched in March 2021. State officials have repeatedly come under fire for their abuse of National Guard troops in an operation that has not shown any [meaningful success](#). What's worse, the manner in which National Guard forces are being activated prevents them from receiving any federal benefits and the mission structure has led to serious negative effects on the troops themselves. Operation Lone Star is a State Active Duty mission, which reduces federal oversight and prevents troops from accessing benefits and support during their deployment. For example, troops on Operation Lone Star do not receive Basic Allowance for Housing, Tricare health insurance, or accrual for GI Bill benefits. Additionally, there is an [alarming rate](#) of mental health issues, substance abuse, and criminal behavior of guardsmen mobilized for Operation Lone Star

B. Impact on Arriving Migrants and Asylum Seekers

National Guard troops are being sent to a mission that has no federal oversight, lacks the resources to fully support soldiers, and creates serious constitutional questions. But beyond that, the state level mobilization of troops for a border mission has an even worse impact on asylum seekers themselves. Migrants who are approaching the border seeking asylum are fleeing from persecution in their home country, often from the military or government forces. Having a domestic military force meet these asylum seekers risks retraumatizing them.

But it's not just the emotional trauma of having an armed presence for what should be a humanitarian response. People's lives have been lost by this military intervention at our border. In January, a migrant was shot by a [Texas National Guardsmen](#) patrolling the border. In addition to the risks troops pose to migrants seeking asylum, the border mission has also been tied to a series of [suicides and accidental deaths](#) in the ranks themselves.

Asylum seekers must be met with the humanitarian assistance needed to deal with their unique issues, not with armed troops. NGOs with reception expertise should be provided with federal aid and/or federal agencies with a humanitarian aid focus, such as FEMA, are more appropriate to support those seeking refuge.

VI. Inhumane, Counterproductive Policies Banning Asylum Remain in Place

Two and a half years since President Biden took office, his administration has taken some important initial steps toward ending Trump administration policies that subvert refugee law and endanger the lives of people seeking asylum. These steps include President Biden's February 2021 [executive order](#) directing review of Trump administration policies, the Secretary of Homeland Security's [termination](#) and [re-termination](#) of the notorious Remain in Mexico (RMX) policy, and the termination of the Title 42 policy in May 2023.

The Biden administration wielded the Title 42 policy for over two years—in part due to [lawsuits](#) filed by state politicians aligned with the prior administration—and [expanded it](#) multiple times to expel additional nationalities to danger. Despite finally ending this inhumane and dysfunctional policy, the Biden administration has recently taken steps backward, implementing other Trump-era policies in the face of border

arrivals and orchestrated, politically driven anti-immigrant rhetoric. Other inhumane Trump administration [policies](#) remain on the books due to the slow pace of agency regulatory action.

In May 2023, the Biden administration published an [asylum ban](#) — an approach [repeatedly initiated by](#) the Trump administration and [repeatedly found unlawful by](#) the [courts](#). The Biden administration’s asylum ban unlawfully makes refugees ineligible for asylum based on how they enter the United States and whether they applied for protection in a country they traveled through on their way to seek safety. It will return refugees to persecution, torture, and death in their home countries and other countries where their lives are at risk and leave other refugees in limbo in the United States without permanent status or a pathway to citizenship. During the year that the Trump administration’s similar transit ban was in effect, it [resulted](#) in the denial of asylum to refugees with well-founded fears of persecution and deprivation of a path to citizenship for refugees left only with withholding of removal due to the transit ban. The Biden administration’s misguided approach breaches President Biden’s [campaign promise](#) to end restrictions on asylum seekers traveling through other countries and [endangers](#) many Black, Brown, Indigenous, LGBTQ+ and other asylum seekers. It also advances the [agenda](#) of anti-immigrant groups, including the Federation for American Immigration Reform, which was [designated](#) a hate group by the Southern Poverty Law Center and has [praised](#) the Biden administration’s plans to impose an asylum ban as a “good first step.” Other [anti-immigrant groups](#) have also welcomed the ban.

In January 2023, Human Rights First joined a diverse³ coalition of nearly 300 organizations in a [letter](#) to the Biden administration, urging it to abandon its plan to issue the asylum ban. Nearly 80 Members of Congress echoed that call, in a bicameral [letter](#) to President Biden. Faith-based organizations also [called](#) on the Biden administration to uphold asylum and abandon plans to propose an asylum ban. Nonetheless, in February 2023 the Biden administration published its proposed asylum ban, which met widespread opposition. Of the 51,000 comments received in response to the proposed rule after a mere 30-day comment period, the [vast majority](#) of comments opposed the ban, including comments from the U.N. Refugee Agency (UNHCR), the union representing asylum officers who would be forced to implement the illegal ban, former immigration judges, 82 members of Congress from the President’s own party, Black-led, civil rights, and LGBTQ+ organizations, Catholic Bishops, rabbis, and Holocaust survivors. Despite the widespread opposition, the administration finalized the illegal ban in May 2023 and began wielding it against asylum seekers.

In addition, the Biden administration has been conducting fast-track asylum screenings through expedited removal in Customs and Border Protection (CBP) custody at the border, undercutting any meaningful opportunity for an asylum seeker to explain their case, and applying the asylum ban in these screenings to rapidly deport asylum seekers without a hearing regardless of their risk of persecution. On June 5, 2023, 112 organizations [wrote](#) to the Biden administration warning that this practice has already produced systemic due process barriers, effectively denies asylum seekers any meaningful chance to consult with counsel, and rushes them through a sham process to quickly deport them. The conduct of credible fear interviews in CBP custody is similar to a Trump-era policy known as the “Prompt Asylum Case Review” program and “Humanitarian Asylum Review Program,” or [PACR/HARP](#). PACR/HARP was also a due process, humanitarian and [refugee protection fiasco](#). Notably, President Biden directed the Department of Homeland Security (DHS) to terminate PACR/HARP in his February 2021 [executive order](#). Asylum seekers detained in CBP custody [have frequently](#)

³ The diverse coalition of prominent labor, LGBTQ, faith, and civil rights signatories include: ACLU, Amnesty International, CHIRLA, Community Change Action, FIRM Action, HIAS, Haitian Bridge Alliance, Immigration Equality, Immigration Hub, Indivisible, International Mayan League, MoveOn, IRAP, IRC, NILC, National Immigrant Justice Center, PFLAG National, Refugee Council USA, The Leadership Conference on Civil and Human Rights, UndocuBlack Network, UnidosUS, and the Welcome with Dignity campaign.

[reported](#) being provided insufficient or inedible food and water; lack of access to showers and other basic hygiene; and inability to sleep because of lack of adequate bedding and cold conditions. Conducting credible fear interviews in CBP custody drastically exacerbates the deficiencies of the expedited removal process, which continues to [result](#) in the deportation of refugees to persecution and torture.

There is a more humane, effective and legal way forward, as Human Rights First has explained in its most recent set of [recommendations](#), which are outlined below.

VII. Trump-era Policies Inflicted Chaos At the Border — Implementing Similar Policies is Not a “Solution”

Trump administration policies and similar policies implemented by the Biden administration inflict chaos, dysfunction and massive human suffering. It’s past time to ensure a firm and final end to these ineffective and inhumane policies. The last thing that Congress or the Biden administration should do is to attempt to prolong, codify, or resurrect policies that violate U.S. obligations under international refugee law, inflict disorder, family separation and massive human rights abuses on people seeking refuge.

Such policies are not actual “solutions,” but tools to deny access to this country to Black, Brown, Indigenous, LGBTQ+ and other people seeking asylum from persecution. These dysfunctional policies have [spurred](#) repeat entries, separated families, [pushed](#) people seeking asylum to cross outside ports of entry, and [inflated](#) border statistics. The Biden administration recently touted its asylum ban as a success given the recent decline in arrivals at the border and has [underscored](#) its deterrence- and enforcement-based approaches to the border. However, the denial of asylum, grave human rights abuses, and disorder and chaos inflicted by bans are the opposite of a success. The provision of pathways and the restoration of access to asylum are the decisive and durable [drivers](#) in discouraging irregular crossings. A more humane and effective approach would be to strengthen parole and other safe pathways, which provide alternative routes to the United States, while maximizing asylum processing at ports of entry without the imposition or use of deeply damaging, counterproductive policies like asylum bans.

The real problem is that the United States is flouting its own asylum laws and the Refugee Convention by systematically closing its doors and turning people away to danger.

VII. Examples of Human Suffering Inflicted by Anti-Asylum Policies

Policies that ban, block or turn away refugees seeking asylum have caused massive human suffering. Human Rights First tracked over [13,480](#) kidnappings, torture, and other attacks against asylum seekers and migrants impacted by the Title 42 policy during the two years since President Biden took office. A 34-year-old Haitian asylum seeker, [Jocelyn Anselme](#), was murdered in Tijuana in May 2022 while blocked from seeking asylum under Title 42.

In its [report](#) in December 2022, Human Rights First found that the continuation and October 2022 expansion of the Title 42 policy inflicted terrible human rights abuses, including for Black, Brown, Indigenous, and LGBTQ+ persons, women, and children; subjected asylum seekers to refoulement to persecution and torture in the countries they fled; endangered faith-based, humanitarian, and legal aid workers assisting asylum seekers impacted by the policy; and pushed asylum seekers to attempt dangerous crossings to reach safety. Fiscal Year 2022 was the [deadliest](#) year for border crossings since the U.S. government began record keeping on border crossing deaths in 1998. A May 2023 [report](#) by a delegation of human, civil, and immigrants’ rights leaders

documented the dangers and risks suffered by asylum seekers at the U.S.-Mexico border and the barriers they face in accessing protection in the United States as the Biden administration's asylum ban took effect.

Some examples from Human Rights First's research of the harm caused by anti-asylum policies – including Title 42, the asylum transit ban, and the conduct of credible fear interviews in CBP custody – are below.

- Asylum seekers expelled or blocked from seeking U.S. protection due to the Title 42 policy include a [Guatemalan lesbian transgender woman](#) who was raped by Mexican police officers in Piedras Negras in October 2022, soon after CBP officers turned her away from protection under Title 42; [a 13-year-old girl](#) who was nearly abducted at gunpoint in Juárez after her family fled political persecution in Venezuela but was expelled under Title 42; and a [transgender Honduran asylum seeker](#) who was kidnapped and raped after DHS repeatedly expelled her to Mexico.
- During the period that the Trump administration's transit ban was in effect, asylum seekers who were denied protection and ordered deported due to the ban [included](#) a Venezuelan opposition journalist and her one-year-old child; a Cuban asylum seeker who was beaten and subjected to forced labor due to his political activity; a gay Honduran asylum seeker who was threatened and assaulted for his sexual orientation; and a Congolese woman who had been beaten by police in her country when she sought information about her husband, who had been jailed and tortured due to his political activity.
- Asylum seekers who underwent credible fear interviews in CBP custody under the Trump administration – many of whom were also subjected to the asylum transit ban – were denied a meaningful opportunity to present their asylum claim and many were ordered deported, [including](#) a 16-year-old girl who fled trafficking and sexual exploitation, an Indigenous Guatemalan woman who was sexually assaulted because of her ethnicity, and a Central American woman fleeing domestic violence by an abuser who killed one of her children.

VIII. Recommendations for Upholding Refugee Law

Instead of seeking to prolong, use or resurrect inhumane and counterproductive policies that were part of the Trump and Stephen Miller agenda, the Biden administration and Congress should work together to:

- **Uphold refugee law at U.S. borders** without discrimination, including to maximize (rather than restrict or “meter”) asylum at ports of entry, and ensure people seeking asylum have prompt access to ports of entry — not limited to CBP One, but also assured to people approaching ports of entry to seek asylum. Maximizing asylum at ports of entry after years of blockage is essential not only to uphold refugee law, but also to end the counterproductive consequences of Trump policies that, by restricting and blocking access to asylum at ports of entry, have long pushed [populations](#) that previously sought asylum at ports of entry to instead attempt to cross the border.
- **Immediately rescind the Biden administration's asylum ban**, which punishes refugees and bars them from asylum, stop subjecting asylum seekers to expedited removal including through fast-tracked screenings in CBP custody where asylum seekers do not have meaningful access to counsel, and rescind [fatally flawed](#) policies of the Trump administration that ban refugees from asylum;
- **Enhance support for human rights and refugee hosting capacity** in other countries in the Americas, including through efforts to support development of strong asylum systems, reception

capacities, access to employment, and protection of rights and safety of refugees and migrants in Mexico and other countries in the Americas.

- **Ramp up, speed up, and strengthen regional refugee resettlement, improve parole and other safe migration pathways** in the Americas, but never use the existence of such pathways to deny access to asylum.
- **Implement a humanitarian rather than enforcement approach to refugee protection through effective, humane refugee reception structures, coordination, funding mechanisms, and case support** to address the lack of dedicated humanitarian and refugee protection structures that has long hampered the U.S. response to people seeking refuge at its own borders.
- **Upgrade asylum adjudication processes so they are accurate, fair, properly staffed, and prompt**, including: improve the new [asylum rule process](#) so it leads to efficiency rather than [rushed and counterproductive](#) inaccurate adjudications, fund sufficient asylum adjudication capacities to address asylum backlogs and ensure timely adjudication of new cases, and support and champion funding for legal representation.
- **Stand firm against anti-immigrant rhetoric and efforts**, and firmly reject attempts to exploit Congressional hearings as opportunities to platform bigoted, anti-immigrant conspiracy theories. Reject and oppose anti-asylum Congressional proposals including efforts to force continuation or enactment into law of the Trump administration's cruel, racist, and counterproductive policies. Draconian policies will not appease perpetrators of xenophobic, racist rhetoric, but will inflict massive human suffering, create more dysfunction, and subvert refugee law globally.

Human Rights First has detailed these steps in its comprehensive updated [recommendations paper](#), and outlined them in a [brief summary](#), both issued in January 2023. In short, so-called "solutions" exist; they are robust and lay out a more humane alternative than the path we are currently on. We urge Members of Congress to review our resources and recommendations and discuss further with our experts. We cannot change our immigration system overnight, but with sustained dialogue, deep investment in humane alternatives, and messaging that emphatically rejects an enforcement-based approach to migration, we can change course toward a better future.